

**FRANKLIN TOWN COUNCIL  
MINUTES OF MEETING  
July 11, 2018**

A meeting of the Town Council was held on Wednesday, July 11, 2018, at the Franklin Municipal Building, 355 East Central Street, Franklin, Massachusetts. Councilors present: Patrick Casey, Robert Dellorco, Melanie Hamblen, Glenn Jones, Matthew Kelly, Eamon McCarthy Earls, Peter Padula, Deborah Pellegri. Councilors absent: Thomas Mercer. Administrative personnel in attendance: Jeffrey Nutting, Town Administrator; Jamie Hellen, Deputy Town Administrator; Mark Cerel, Town Attorney.

**CALL TO ORDER:** ► Chairman Kelly called the meeting to order at 7:00 PM with a moment of silence and the Pledge of Allegiance.

**ANNOUNCEMENTS:** Chairman Kelly announced the meeting is being recorded by *Franklin TV* and available for viewing on Comcast Channel 11 and Verizon Channel 29. This meeting may also be recorded by others.

**CITIZEN COMMENTS:** ► Teresa Burr, Town Clerk, reminded everyone of the Zip Trip this Friday in the Town Common, 6:00-10:00 AM; please bring a healthy box of cereal to support the Food Pantry. She hopes for a good turnout at this event. Next week the Town Clerk's office will be opened only 8:00-1:00 PM; there will be two part-time staff members available in the morning. Ms. Burr and her assistant will be attending their final year to becoming certified clerks; they will be graduating after three years. The 2018 elections will be on September 4, 2018, at the High School from 6:00-8:00 PM. The last day to register to vote for the state primary is August 16, 2018; the Town Clerk's office will be opened until 8:00 PM on that date. The state election is on November 6, 2018. The last day to register to vote or change party affiliation for the state election is October 17, 2018; the Town Clerk's office will be opened until 8:00 PM on that date. You can also register to vote or change party affiliation online. If there are any questions, please contact the Town Clerk's office.

**APPROVAL OF MINUTES: June 20, 2018.** ► ► **MOTION to Approve** the June 20, 2018 meeting minutes by **Padula. SECOND** by **Dellorco. No Discussion.** ► **VOTE: Yes-8, No-0, Absent-1.**

**PROCLAMATIONS/RECOGNITIONS: None.**

**APPOINTMENTS: Election Workers.** ► **MOTION to Waive** the reading by **Padula.** ► Mr. Cerel stated the names must be read. ► **MOTION to Withdraw** the motion by **Padula.** ► Mr. Jones read the Appointments for Election Year 2018 list. ► **MOTION to Ratify** the appointment by the Town Administrator of the attached Election Workers as requested by the Town Clerk by **Dellorco. SECOND** by **Padula. No Discussion.** ► **VOTE: Yes-8, No-0, Absent-1.**

**LICENSE TRANSACTIONS: Santa Fe Burrito Grill, LLC – New License.** ► Mr. Jones read the license transaction. ► **MOTION to Approve** the request by Santa Fe Burrito Grill LLC for a new all alcoholic beverages restaurant license and approve the Manger, Hector Angel by **Dellorco. SECOND** by **Padula. Discussion:** ► Chairman Kelly declared a 30-second recess to wait for 7:10 PM as Mr. Cerel stated this was a published hearing. ► A representative on behalf of Mr. Hector Angel addressed the Town Council; he stated Mr. Angel was unable to make it due to a family emergency. In response to Mr. Padula's questions, he stated he works for Mr. Angel in an operations capacity for many of his locations including this location. He noted he is not listed in the application. ► Mr. Padula asked about Mr. Angel's experience and training in handling liquor. ► The representative stated Mr. Angel has had several restaurants in CT, RI, and MA, in which he has had alcohol licenses. He is familiar with TIPS certification and has not had any issues to date. Mr. Angel has had restaurants for two decades. ► Mr. Cerel stated the information Mr. Padula is looking for is provided in the Town Council members' packets. ► **VOTE: Yes-8, No-0, Absent-1.**

**PRESENTATIONS/DISCUSSIONS:** ► *Judith P. Pfeffer – Unsung Heroine Award.* ► Mr. Nutting stated Representative Jeffrey Roy is on the telephone; he could not be in attendance as they are in the middle of a debate. ► Representative Roy, via telephone, stated good news for Franklin; they have passed the foundation budget recommendations earlier today. They are in the middle of the debate on opioid legislation reform. He apologized to Ms. Pfeffer for not being in attendance. He stated Ryan from his office is in attendance and has many gifts for Ms. Pfeffer. Representative Roy stated the unsung heroine award goes to someone who does not seek the spotlight but does really great things for their community. There is no better nominee for this award. Ms. Pfeffer has devoted her life to the Franklin community and is an endeared servant to the community. He read aloud the nomination that was submitted by his office on her behalf. He stated there was a beautiful ceremony at the State House on June 20, 2018. They wanted to recognize Ms. Pfeffer in her community. He asked Ryan to present Ms. Pfeffer with the citation from the House of Representatives; he read aloud the citation. He noted in her gifts was also a citation from Senator Spilka and Senator Ross, a commendation from Governor Charlie Baker, a certificate from the Massachusetts Commission on the Status of Women, a pin in recognition of the status of an unsung heroine, and a program from the ceremony on June 20, 2018, that lists all the women who were in the 2018 class of unsung heroines. He congratulated Ms. Pfeffer and thanked her for her service. ► Ms. Pfeffer thanked everyone and stated this is a great honor. ► Chairman Kelly congratulated Ms. Pfeffer.

► *Karen Alves – Dementia Friendly Community.* ► Ms. Alves, Senior Center Director, and Maggie Gunderson, Social Services Coordinator, addressed the Town Council. Ms. Alves stated they recently received a grant award of \$11,720 from the MetroWest Health Foundation to make Franklin a Dementia Friendly Community. The group has also funded some of the other initiatives over the past 15 years. The Friends of Franklin elders group pledged \$1,000 to this effort. She discussed what a dementia friendly community is, provided statistics of Alzheimer’s disease, and reviewed the goals of being a dementia friendly community. She discussed how social isolation reduces quality of life and leads to both mental and physical health deterioration. She would like to create a community-wide system of support. ► Ms. Gunderson discussed reframing dementia to destigmatize dementia and the need to think about it differently. She stated this is basically a public education awareness campaign. She discussed educating the community. ► Ms. Alves discussed training for local businesses. ► Ms. Gunderson discussed the Dementia Friends educational program; she has been trained as a trainer for this program. ► Ms. Alves reviewed how this program will be put in place in Franklin. She explained Memory Cafés and mentioned one is scheduled for Monday, July 30, 2018, at 3:00 PM at the Franklin Senior Center. This will be a monthly event; anyone who wants to come is welcomed. ► Mr. Dellorco asked the presenters to let the public know how to sign up and where to go. ► Ms. Alves stated anyone interested could call the Senior Center and speak with Ms. Gunderson. They are trying to put together the coalition now. They hope to be doing trainings in the fall. ► Mr. Padula stated this is another fantastic job done by the Senior Center. ► Mr. Casey asked what type of businesses will be asked to join this program. ► Ms. Alves stated the Downtown Partnership provided them with a letter of support. Interested businesses should contact the Senior Center. ► Chairman Kelly thanked the presenters.

#### **HEARINGS:**

1. *Acceptance of Padden Road and Portion of Longhill Road as Public Ways*
2. *Acceptance of Sheila Lane & Tobacco Road as Public Ways*
3. *Acceptance of Sarah Lane as Public Way*
4. *Zoning Bylaw Amendment 18-803R: Zoning Map Changes from Industrial, or Industrial & Single Family Residential IV, or Industrial & Rural Residential I, to Single Family Residential IV, or Industrial, or Rural Residential I, an Area on or Near Fisher, Hayward and McCarthy Streets – Continued Hearing*
5. *Zoning Bylaw Amendment 18-805: Changes to §185-21 Parking, Loading and Driveway Requirements – Continued Hearing*
6. *Zoning Bylaw Amendment 18-810: Definitions. Small, Medium and Large Ground-Mounted Solar Energy Systems, Accessory Use, and Accessory Building or Structure*

**7. Zoning Bylaw Amendment 18-811: Changes to §185-19. Accessory Buildings and Structures**

**8. Zoning Bylaw Amendment 18-812: Ground-Mounted Solar Energy System Use Regulations**

► Chairman Kelly declared the following hearings open:

1. *Acceptance of Padden Road and Portion of Longhill Road as Public Ways*
2. *Acceptance of Sheila Lane & Tobacco Road as Public Ways*
3. *Acceptance of Sarah Lane as Public Way*

► Mr. Nutting stated that many years ago they asked the Town Council for an appropriation to begin this and filed a petition to try to streamline the ability to accept subdivision roads as public ways because there were over 100 roads that had never gotten accepted as public ways for one reason or another. Currently, if you live on one of these streets and your road falls apart, you are responsible to fix it. He stated they started a program to try to put more streets into public ways. This is equitable for the taxpayer and the town gets additional Chapter 90 money for every mile of roadway. It is a difficult process. We are trying to take care of these a few at a time. There will be a lot more roads to go. The town plows these streets per bylaw; the most the town can do is fill a pothole. ► Town Council members asked questions. ► Mr. Cerel stated the bonds have been released for the most part. There were not enough people and oversight to follow through and make sure this was done. In many cases we were able to reach out to the surveying firms that had started the work and have had them complete the acceptance plans. ► Mr. Michael Maglio, Town Engineer, stated these roads were built around the 1990s; they are in various conditions. At some point the town will have to put money into them to keep them passable; there are no immediate plans for any of these streets. ► Mr. Nutting discussed the additional Chapter 90 money in regard to the possible road work the town will eventually have to do. He provided the example that people bought a house in a subdivision in good faith, paid their taxes, assumed it was a town road, and now the road needs repair and they assume the town will take care of it; it is an equity issue. ► Mr. Cerel noted the sooner a road can be taken care of the more life can be gotten out of it.

► Chairman Kelly declared the following hearings open:

4. *Zoning Bylaw Amendment 18-803R: Zoning Map Changes from Industrial, or Industrial & Single Family Residential IV, or Industrial & Rural Residential I, to Single Family Residential IV, or Industrial, or Rural Residential I, an Area on or Near Fisher, Hayward and McCarthy Streets – Continued Hearing*
5. *Zoning Bylaw Amendment 18-805: Changes to §185-21 Parking, Loading and Driveway Requirements – Continued Hearing*

► Mr. Nutting stated Zoning Bylaw Amendment 18-803R was discussed at the last meeting. He noted the map shown on the screen and stated originally the small lot down the bottom, 300 Fisher Street, and the DPW lot in the middle were going to be made Industrial. Mr. Paul DeBaggis raised concern about these two lots. The new proposal was reviewed. ► Mr. DeBaggis thanked the administration for the meeting he and Mr. Circone attended. He and Mr. Circone agree the zoning should be Residential in the porkchop lot. It is not a good policy to zone to Industrial. He reviewed what is allowed in an Industrial zone and not in Residential. As the land is wet, there is no reason to zone it Industrial given that the town wells are a short distance away, among other reasons. There is also an endangered species there. He urged the Town Council to stick with the current Residential zoning. ► Mr. Padula confirmed Mr. Nutting wanted to make it Industrial. ► Mr. Nutting stated he thinks it makes sense. It really makes no difference; we all agree it is wetland. It is just painting the map a different color. On the other hand, if you take no action on that one parcel, it does not make that much difference because it is all wet. We were just doing lot line cleanups; there was no other motivation. Seventy-five percent of the lot is already Industrial. He stated Mr. Brutus Cantoreggi, Director of Public Works, has no concern about the wells. Even if it is left three-quarters Industrial, it will still someday be able to be used. ► Mr. Padula stated that after talking with Mr. DeBaggis and hearing the explanation, he thinks cleaning up the lot line makes sense. ► Chairman Kelly asked why we do not make the entire lot Residential. ► Mr. Nutting stated he believes there is an expectation that once the EPA cleans up the lot it will have a reuse. He does not think it is a very good location for Residential. From an Industrial base, maybe a nice little storage facility could go down there that does not create a lot of issues and creates tax revenue. He stated he thinks that it would be considered

a taking by the court. ► Mr. Cerel explained uses, procedure, and regulatory taking. He noted the current owner has been working cooperatively with the EPA to effectuate the cleanup. ► Chairman Kelly discussed that the Town Council cannot be scared that they may put a lawsuit on the town if the Town Council does what they feel is right. ► Mr. Bryan Taberner, Director, Planning and Community Development, stated the property is very dirty. The likelihood that it will be cleaned up enough for Residential development is low. So, by putting it into Residential, it is likely that it will not be able to be developed, so there would be no value to the property anymore. Either leave it split as is or go with Industrial. ► Mr. DeBaggis said Mr. Cerel noted going back and starting the process all over to make it all Residential; he stated he is saying to just leave it as it is. ► Mr. Jones stated it will take years for this property to be cleaned up. ► Mr. Dellorco confirmed that if the Town Council leaves this alone, the cleanup will still continue. ► **MOTION to Close the Public Hearing for Zoning Bylaw Amendment 18-803R by Padula. SECOND by Dellorco. No Discussion. ► VOTE: Yes-8, No-0, Absent-1.**

► **MOTION to Close the Public Hearings for Acceptance of Padden Road and Portion of Longhill Road as Public Ways, Acceptance of Sheila Lane & Tobacco Road as Public Ways, and Acceptance of Sarah Lane as Public Way by Jones. SECOND by Dellorco. No Discussion. ► VOTE: Yes-8, No-0, Absent-1.**

► Mr. Nutting stated Zoning Bylaw Amendment 18-805 was continued because the Planning Board at the last Town Council meeting had not voted one way or the other. They did vote on Monday to approve it. Basically, it adds a de minimis parking requirement to Commercial I Zoning District as recommended by the EDC; currently, there is no parking requirement. ► **MOTION to Close the Public Hearing for Zoning Bylaw Amendment 18-805 by Dellorco. SECOND by Padula. No Discussion. ► VOTE: Yes-8, No-0, Absent-1.**

► Chairman Kelly declared the following hearings open:

6. *Zoning Bylaw Amendment 18-810: Definitions. Small, Medium and Large Ground-Mounted Solar Energy Systems, Accessory Use, and Accessory Building or Structure*
7. *Zoning Bylaw Amendment 18-811: Changes to §185-19. Accessory Buildings and Structures*
8. *Zoning Bylaw Amendment 18-812: Ground-Mounted Solar Energy System Use Regulations*

► Mr. Nutting stated Zoning Bylaw Amendment 18-810 is to establish zoning for various sized ground-mounted solar systems. He noted an article in the paper where someone put solar panels in their front yard. The thought is that solar panels are great, but they should have some standard. So, zoning based on three different sizes was created. ► Mr. Taberner stated Zoning Bylaw Amendment 18-811 is a complete rewrite of §185-19, Accessory Buildings and Structures. He explained and discussed the sections regarding ground-mounted solar energy systems. ► Mr. Taberner stated Zoning Bylaw Amendment 18-812 is the changes to the use regulation schedule regarding ground-mounted solar energy systems. He explained and discussed the additions to the Use Regulations Schedule Part III and Part IV, Attachment 4 and Attachment 8. ► Chairman Kelly thanked Mr. Taberner for his hard work on this. ► **MOTION to Close the Public Hearings for Zoning Bylaw Amendment 18-810, Zoning Bylaw Amendment 18-811, and Zoning Bylaw Amendment 18-812 by Jones. SECOND by Dellorco. No Discussion. ► VOTE: Yes-8, No-0, Absent-1.**

#### **SUBCOMMITTEE REPORTS:**

1. *Capital.* ► Mr. Dellorco stated there are no updates at this time.
2. *Budget.* ► Mr. Nutting stated there is a meeting in September.
3. *Economic Development.* ► Mr. Mercer was not present at the meeting; no update provided.

#### **LEGISLATION FOR ACTION:**

1. *Resolution 18-37: Order of Acceptance of Padden Road and Portion of Longhill Road as Public Ways (Motion to Move Resolution 18-37 – 2/3 Vote (6)).* ► **MOTION to Waive the reading by Padula. SECOND by Dellorco. No Discussion. ► VOTE: Yes-8, No-0, Absent-1. ► MOTION to Move Resolution 18-37: Order of Acceptance of Padden Road and Portion of Longhill Road as**

Public Ways by **Dellorco**. **SECOND** by **Padula**. **Discussion:** ► Mr. Nutting stated he thinks everything has already been explained. ► **VOTE: Yes-8, No-0, Absent-1.**

2. **Resolution 18-38: Order of Acceptance of Sheila Lane & Tobacco Road as Public Ways (Motion to Move Resolution 18-38 – 2/3 Vote (6)).** ► **MOTION** to **Waive** the reading by **Padula**. **SECOND** by **Dellorco**. **No Discussion.** ► **VOTE: Yes-8, No-0, Absent-1.** ► **MOTION** to **Move** Resolution 18-38: Order of Acceptance of Sheila Lane & Tobacco Road as Public Ways by **Dellorco**. **SECOND** by **Padula**. **No Discussion.** ► **VOTE: Yes-8, No-0, Absent-1.**
3. **Resolution 18-39: Order of Acceptance of Sarah Lane as Public Way (Motion to Move Resolution 18-39 – 2/3 Vote (6)).** ► **MOTION** to **Waive** the reading by **Padula**. **SECOND** by **Dellorco**. **No Discussion.** ► **VOTE: Yes-8, No-0, Absent-1.** ► **MOTION** to **Move** Resolution 18-39: Order of Acceptance of Sarah Lane as Public Way by **Dellorco**. **SECOND** by **Padula**. **Discussion:** ► Mr. Padula confirmed these are the public hearings that the Town Administrator already discussed. ► **VOTE: Yes-8, No-0, Absent-1.**
4. **Resolution 18-40: Adoption and Execution of Order of Taking to Enable Widening and other Roadway Improvements Along Rt. 140 at its Intersection with Maple Street at Franklin-Bellingham Town Line (Motion to Move Resolution 18-40 – 2/3 Vote (6)).** ► Mr. Jones read the resolution. ► **MOTION** to **Move** Resolution 18-40: Adoption and Execution of Order of Taking to Enable Widening and other Roadway Improvements Along Rt. 140 at its Intersection with Maple Street at Franklin-Bellingham Town Line by **Dellorco**. **SECOND** by **Padula**. **Discussion:** ► Mr. Nutting stated the Town of Bellingham received a grant to widen and improve the intersection of Maple Street and Rt. 140 on the Bellingham line. Part of that is the need to widen the access on the Franklin side as well. He worked with them to reach out to some of the property owners to see if they would agree to provide the temporary or permanent easements. They were all agreeable and signed off. There is a financial award that will be paid by the Town of Bellingham to the property owners. It is an agreed upon eminent domain by those people involved to widen the intersection. This action is required because the land is in Franklin. Bellingham asked that Franklin take this action; Bellingham will do the recordings and paying the land owners. ► Chairman Kelly stated most likely he is going to vote Yes, but he explained his problem with this. They are going to widen the road because it is almost all commercial on Maple Street. Trucks will get off Rt. 495, drive through Franklin roads, rip up the roads, go into Bellingham, drop their tax dollars off there, Bellingham will profit from that, and Franklin will have to repave the roads. ► Mr. Nutting stated it is a state highway. ► Chairman Kelly rescinded his comment. ► Mr. Cerel stated this is the resolution that requires all Town Council members to sign the document. ► **VOTE: Yes-8, No-0, Absent-1.**
5. **Resolution 18-41: Acceptance of Gift-Franklin Library Association (Motion to Move Resolution 18-41 – Majority vote (5)).** ► Mr. Jones read the resolution. ► **MOTION** to **Move** Resolution 18-41: Acceptance of Gift-Franklin Library Association by **Dellorco**. **SECOND** by **Padula**. **Discussion:** ► Mr. Nutting thanked the FLA; they have been extremely generous in the past many years. ► **VOTE: Yes-8, No-0, Absent-1.**
6. **Resolution 18-42: Authorization for Disposition (Sale) of Town-Owned Land on Grove Street (Remaining Portion of Former Nu-Style Property) (Motion to Move Resolution 18-42 – 2/3 Majority vote (6)).** ► **MOTION** to **Waive** the reading by **Padula**. **SECOND** by **Dellorco**. **No Discussion.** ► **VOTE: Yes-8, No-0, Absent-1.** ► **MOTION** to **Move** Resolution 18-42: Authorization for Disposition (Sale) of Town-Owned Land on Grove Street (Remaining Portion of Former Nu-Style Property) by **Dellorco**. **SECOND** by **Padula**. **Discussion:** ► Mr. Nutting stated this has been a 10 to 12-year process. He provided a map and discussed the former Nu-Style property. The EPA has been working on this site for years. There is still some clean up to do. One building remaining is collapsed; it must be demolished, removed, and further testing and clean up of any soil issues done. The prior Town Council authorized an RFP for the sale of the small parcel of land on

Grove Street at the former Nu-Style building. One bid was received. He stated we would like to move forward with selling the land contingent on all permits being granted. He reviewed the purchaser's plans for the site. ► Mr. Padula confirmed the reason this was done is to pass on the responsibility for this to a third party; the purchase price is \$120. ► Mr. Cerel confirmed the purchaser must go forward with the outlined remediation. ► **VOTE: Yes-8, No-0, Absent-1.**

7. ***Zoning Bylaw Amendment 18-802: Zoning Map Changes From Commercial II, or Rural Residential II & Single Family Residential IV, to Rural Residential II or Single Family Residential IV, an Area on or Near Edwards, Raymond and Beaver Streets – 2nd Reading (Motion to Move Zoning Bylaw Amendment 18-802 – 2/3 Majority Roll Call vote (6)).*** ► **MOTION to Waive the reading by Padula. SECOND by Dellorco. No Discussion.** ► **VOTE: Yes-8, No-0, Absent-1.** ► **MOTION to Move Zoning Bylaw Amendment 18-802: Zoning Map Changes From Commercial II, or Rural Residential II & Single Family Residential IV, to Rural Residential II or Single Family Residential IV, an Area on or Near Edwards, Raymond and Beaver Streets by Dellorco. SECOND by Padula. Discussion:** ► Mr. Nutting stated this was previously discussed. It does the lot line cleanup and it eliminates Commercial zoning behind the Ski Shop where all the condominiums are. All the people were notified. ► **ROLL CALL VOTE:** Casey-YES; Dellorco-YES; Hamblen-YES; Jones-YES; Kelly-YES; Earls-YES; Padula-YES; Pellegrini-YES. ► **VOTE: Yes-8, No-0, Absent-1.**
  
8. ***Zoning Bylaw Amendment 18-803R: Zoning Map Changes from Industrial, or Industrial & Single Family Residential IV, or Industrial & Rural Residential I, to Single Family Residential IV, or Industrial, or Rural Residential I, an Area on or Near Fisher, Hayward and McCarthy Streets – Continued 1st Reading (Motion to Move Zoning Bylaw Amendment 18-803R to a 2nd Reading - Majority vote (5)).*** ► **MOTION to Waive the reading by Padula. SECOND by Dellorco. No Discussion.** ► **VOTE: Yes-8, No-0, Absent-1.** ► **MOTION to Move Zoning Bylaw Amendment 18-803R: Zoning Map Changes from Industrial, or Industrial & Single Family Residential IV, or Industrial & Rural Residential I, to Single Family Residential IV, or Industrial, or Rural Residential I, an Area on or Near Fisher, Hayward and McCarthy Streets to a 2<sup>nd</sup> reading by Dellorco. SECOND by Jones. Discussion:** ► Mr. Nutting stated if people wanted to exclude the porkchop-like piece, they would strike out 296-210 as a motion amendment. ► **MOTION to Amend Zoning Bylaw Amendment 18-803R to eliminate parcel 296-210-000 from the amendment by Earls. SECOND by Dellorco. Discussion:** ► Mr. Padula stated he wanted to go along with the administration and clean up the lot lines; they have done their due diligence and he thinks it is appropriate. ► **ROLL CALL VOTE** (for the amendment to Zoning Bylaw Amendment 18-803R—a Yes vote will strike out parcel 296-210-000; a No vote will leave it in as is): Casey-YES; Dellorco-YES; Hamblen-YES; Jones-NO; Kelly-NO; Earls-YES; Padula-NO; Pellegrini-YES. ► **VOTE: Yes-5 No-3, Absent-1.** ► **MOTION AS AMENDED to Move Zoning Bylaw Amendment 18-803R: Zoning Map Changes from Industrial, or Industrial & Single Family Residential IV, or Industrial & Rural Residential I, to Single Family Residential IV, or Industrial, or Rural Residential I, an Area on or Near Fisher, Hayward and McCarthy Streets to a 2<sup>nd</sup> reading by Earls. SECOND by Dellorco. No Discussion.** ► **VOTE: Yes-8, No-0, Absent-1.**
  
9. ***Zoning Bylaw Amendment 18-804: Zoning Map Changes from Single Family Residential III & Single Family Residential IV, to Single Family Residential III or Single Family Residential IV, an Area on or Near Washington, Arlington and James Streets – 2nd Reading (Motion to Move Zoning Bylaw Amendment 18-804 – 2/3 Majority Roll Call vote (6)).*** ► **MOTION to Waive the reading by Padula. SECOND by Dellorco. No Discussion.** ► **VOTE: Yes-8, No-0, Absent-1.** ► **MOTION to Move Zoning Bylaw Amendment 18-804: Zoning Map Changes from Single Family Residential III & Single Family Residential IV, to Single Family Residential III or Single Family Residential IV, an Area on or Near Washington, Arlington and James Streets by Dellorco. SECOND by Padula. Discussion:** ► Mr. Nutting stated this is a lot line cleanup as previously discussed and shown on the map. ► **ROLL CALL VOTE:** Casey-YES; Dellorco-YES; Hamblen-YES; Jones-YES; Kelly-YES; Earls-YES; Padula-YES; Pellegrini-YES. ► **VOTE: Yes-8, No-0, Absent-1.**

- 10. Zoning Bylaw Amendment 18-805: Changes to § 185-21 Parking, Loading and Driveway Requirements– Continued 1st Reading (Motion to Move Zoning Bylaw 18-805 to a 2nd Reading – Majority vote (5)).** ► **MOTION to Waive the reading by Padula. SECOND by Dellorco. No Discussion.** ► **VOTE: Yes-8, No-0, Absent-1.** ► **MOTION to Move Zoning Bylaw Amendment 18-805: Changes to § 185-21 Parking, Loading and Driveway Requirements to a 2<sup>nd</sup> reading by Dellorco. SECOND by Padula. Discussion:** ► Mr. Nutting stated that as previously discussed in the public hearing this adds a de minimis parking requirement. ► **VOTE: Yes-8, No-0, Absent-1.**
- 11. Zoning Bylaw Amendment 18-810: Definitions. Small, Medium and Large Ground-Mounted Solar Energy Systems, Accessory Use, and Accessory Building or Structure – 1st Reading (Motion to Move Zoning Bylaw Amendment 18-810 to a 2nd Reading – Majority vote (5)).** ► **MOTION to Waive the reading by Padula. SECOND by Dellorco. No Discussion.** ► **VOTE: Yes-8, No-0, Absent-1.** ► **MOTION to Move Zoning Bylaw Amendment 18-810: Definitions. Small, Medium and Large Ground-Mounted Solar Energy Systems, Accessory Use, and Accessory Building or Structure to a 2<sup>nd</sup> reading by Dellorco. SECOND by Padula. Discussion:** ► Mr. Nutting stated these next three items are the same three just discussed in the public hearings for the solar and accessory use language changes that coincide with those. ► **VOTE: Yes-8, No-0, Absent-1.**
- 12. Zoning Bylaw Amendment 18-811: Changes to §185-19. Accessory Buildings and Structures – 1st Reading (Motion to Move Zoning Bylaw Amendment 18-811 to a 2nd Reading – Majority Vote (5)).** ► **MOTION to Waive the reading by Padula. SECOND by Dellorco. No Discussion.** ► **VOTE: Yes-8, No-0, Absent-1.** ► **MOTION to Move Zoning Bylaw Amendment 18-811: Changes to §185-19. Accessory Buildings and Structures to a 2<sup>nd</sup> reading by Dellorco. SECOND by Padula. Discussion:** ► Mr. Nutting stated same comment. ► **VOTE: Yes-8, No-0, Absent-1.**
- 13. Zoning Bylaw Amendment 18-812: Ground-Mounted Solar Energy System Use Regulations – 1st Reading (Motion to Move Zoning Bylaw Amendment 18-812 to a 2nd Reading – Majority Vote (5)).** ► **MOTION to Waive the reading by Padula. SECOND by Dellorco. No Discussion.** ► **VOTE: Yes-8, No-0, Absent-1.** ► **MOTION to Move Zoning Bylaw Amendment 18-812: Ground-Mounted Solar Energy System Use Regulations to a 2<sup>nd</sup> reading by Dellorco. SECOND by Padula. Discussion:** ► Mr. Nutting stated same comment. ► **VOTE: Yes-8, No-0, Absent-1.**
- 14. Bylaw Amendment 18-813: A Bylaw to Amend the Code of the Town of Franklin at Section 170-32 One Way Streets – 2nd Reading (Motion to Move Bylaw Amendment 18-813 – Majority Roll Call vote (5)).** ► **MOTION to Waive the reading by Padula. SECOND by Dellorco. No Discussion.** ► **VOTE: Yes-8, No-0, Absent-1.** ► **MOTION to Move Bylaw Amendment 18-813: A Bylaw to Amend the Code of the Town of Franklin at Section 170-32 One Way Streets by Dellorco. SECOND by Padula. Discussion:** ► Mr. Nutting stated this makes a small section of Alpine Row one-way to accommodate the installation of a continuous sidewalk throughout the entirety of the neighborhood. He stated a neighborhood meeting was held; residents who attended are in favor of the change and no negative feedback has been received to date. ► Mr. Padula stated the sidewalk installed makes it safer for people to travel. ► Chairman Kelly stated anyone that lives on the street and needs to open the road before it gets its final paved coat should contact Michael Maglio at the DPW. ► Town Council members reviewed the traffic flow. ► **ROLL CALL VOTE: Casey-YES; Dellorco-YES; Hamblen-YES; Jones-YES; Kelly-YES; Earls-YES; Padula-YES; Pellegri-YES.** ► **VOTE: Yes-8, No-0, Absent-1.**
- 15. Bylaw Amendment 18-814: Chapter 125, Peace and Good Order – 2nd Reading (Motion to Move Bylaw Amendment 18-814 – Majority Roll Call Vote (5)).** ► **MOTION to Waive the reading by Padula. SECOND by Dellorco. No Discussion.** ► **VOTE: Yes-8, No-0, Absent-1.** ► **MOTION to Move Bylaw Amendment 18-814: Chapter 125, Peace and Good Order by Dellorco. SECOND by**

**Padula. Discussion:** ► Mr. Nutting stated this is to put a bylaw in place that will restrict the use of marijuana on any public space or property such as school, playground, cemetery, etc., similar to alcohol use restrictions that we currently have. ► **ROLL CALL VOTE:** Casey-YES; Dellorco-YES; Hamblen-YES; Jones-YES; Kelly-YES; Earls-YES; Padula-YES; Pellegrini-YES. ► **VOTE: Yes-8, No-0, Absent-1.**

**16. Bylaw Amendment 18-817: Amendment to Water System Map – 1st Reading (Motion to Move Bylaw Amendment 18-817 to a 2nd Reading – Majority vote (5)).** ► Mr. Jones read the bylaw amendment. ► **MOTION to Move** Bylaw Amendment 18-817: Amendment to Water System Map to a 2<sup>nd</sup> reading by **Padula. SECOND** by **Dellorco. Discussion:** ► Mr. Michael Maglio, Town Engineer, stated an application for a Water System Extension Permit was received from the homeowner at 12 Ridgeview Road. They have been having issues with their well water. The DPW investigated. They found many of the other six homeowners on the street have been having issues with their wells. A traditional water main running up the road would require a neighborhood booster pump station due to the elevation. Given the situation, he recommends that each of the six homes be allowed to connect to Town water with individual services and the need for separate booster pumps would then be the responsibility of each individual homeowner. He recommended conditions, which he reviewed, be attached to the approval. ► Mr. Michael Fales, homeowner at 12 Ridgeview Road, stated the town engineer has been great coming up with the best solution to this. He stated they have run out of water. Sometimes it takes six to eight hours to get the water back. ► Town Council members asked questions and discussed the proposed plan with Mr. Maglio, Mr. Fales, and Mr. Nutting. ► **VOTE: Yes-8, No-0, Absent-1.**

**17. Zoning Bylaw Amendment 18-818: Maximum Building Height Dimensional Regulations – Referral to Planning Board (Motion to refer Zoning Bylaw Amendment 18-818 to the Planning Board – Majority vote (5)).** ► **MOTION to Waive** the reading by **Padula. SECOND** by **Dellorco. No Discussion.** ► **VOTE: Yes-8, No-0, Absent-1.** ► **MOTION to Refer** Zoning Bylaw Amendment 18-818: Maximum Building Height Dimensional Regulations to Planning Board by **Dellorco. SECOND** by **Padula. Discussion:** ► Mr. Nutting stated that regarding the previous bylaw amendment, what someone does with their water line on their own private property is their own business; they cannot go into the public way until after the second vote. Regarding this zoning bylaw amendment, it is a recommendation by the EDC that tries to standardize building heights and the number of stories in several Commercial zoning districts. As shown on the map, he reviewed the current and proposed maximum building height by right and special permit. He stated this would add to uniformity and consistency in Commercial zoning districts. ► **VOTE: Yes-8, No-0, Absent-1.**

**TOWN ADMINISTRATOR’S REPORT:** ► Mr. Nutting stated he and Mr. Jones attended the Charter School groundbreaking. The Charter School is under construction and will be opened in the fall of 2019 on Washington Street. Hat’s off to the Fourth of July Committee; it was an awesome event. Great job! He gave prayers to Jean Hunchard who passed away recently; she had been a frequent caller to Mr. Nutting over the years and they always had great conversations. There will be a neighborhood meeting on the East Street and West Street neighborhoods next Wednesday at 6:00 PM to finalize the plans before the Dean students return. Regarding the opioid legislation, the lawyer was on vacation. By the time he sent over all the documents, and Mr. Cerel needed a chance to review the documents, it was put on the August agenda. ► Mr. Hellen reminded everyone of the Zip Trip on Friday.

**FUTURE AGENDA ITEMS:** ► Chairman Kelly asked if Mr. Cerel could do some research on the banning of selling nips in the town; it would reduce litter. ► Mr. Cerel stated he would first check with some of his colleagues and what they have done in other communities.

**COUNCIL COMMENTS:** ► Ms. Pellegrini thanked the Fourth of July Committee for the great celebration. She asked if the new bandstand that was put up is permanent. She asked if the town had insurance for people using the bandstand. She is bringing it up because a past town administrator always



wanted it taken down immediately as it created problems. She noted that when going by it today, she saw skateboarders on it. She asked how it was selected. ► Mr. Nutting stated it is portable and will come off in the fall. He stated they do not have any liability and have a boatload of insurance. It is a recreation use and under Massachusetts statute there is limited liability. He said the skateboarders should not be there and he will ask the police. He stated the process for procurement was followed. There was only one vendor that came back with an all-weather item so that vendor that met the specifications was selected. Then we purchased the curtain that goes around the bottom to clean up the look of the legs. ► Ms. Pellegri stated it was an eyesore; she said many other people have said the same thing. Maybe if Design Review had gotten involved, there would be something more appealing to the eye. This is taking away from the town's beautiful bandstand. The Town Council never even saw a sketch of it so they never had any input. ► Mr. Nutting stated it will come down in the fall. It cost \$34,000; the handicapped ramp was \$12,000-\$13,000. The Town Council voted to appropriate the money. ► Mr. Padula congratulated the Fourth of July Committee; they did a wonderful job. ► Mr. Jones stated the Charter School groundbreaking was a great event. ► Ms. Hamblen gave her condolences to the Longobardi family for the passing of Peter Longobardi. She stated she received a compliment to be passed along to the DPW regarding the awesome job of the hole patching on King Street. It is blueberry season so get to Giannetti's and pick blueberries. ► Mr. Casey said great job to the Fourth of July Committee. He reminded residents that tax bills were mailed out on Friday, June 29, 2018, with a due date of August 1, 2018. There is a 14 percent late charge. ► Mr. Dellorco said hat's off to the Fourth of July Committee. He gave condolences to the Hunchard family. ► Chairman Kelly stated Mr. Jones volunteered his time in Haiti recently and there was an uprising at that time; he is glad Mr. Jones made it back safely. ► Mr. Cerel asked if everyone signed the Order of Taking. He is going to have to notarize it.

**EXECUTIVE SESSION: *None.***

**ADJOURN: MOTION to Adjourn by Padula. SECOND by Dellorco. No Discussion. ► VOTE: Yes-8, No-0, Absent-1. Meeting adjourned at 9:08 PM.**

Respectfully submitted,

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Judith Lizardi  
Recording Secretary